

[Describe other security.]AO 98A (9/10) Includes violations of Conditions of Release as well as non-appearance as grounds for forfeiture

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO**

**APPEARANCE BOND**

UNITED STATES OF AMERICA

V.

**DANIEL S. MCKINNEY**  
Defendant

CASE NUMBER: CR-1-02-93 (1)

Non surety: I, the undersigned defendant acknowledge that I and my...

Surety: We, the undersigned, jointly and severally acknowledge that we and our ...

personal representatives, jointly and severally, are bound to pay to the United States of America the sum of  
\$-0-, and there has been no deposit made into the Registry of the Court.

The conditions of this bond are that the defendant **DANIEL S. MCKINNEY**

is to (1) appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred; (2) comply with all conditions of release imposed by the court, and (3) abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

This bond is signed on March 16, 2006 in Cincinnati, Ohio.

Defendant. [Signature] Address. 3569 BOGART AVE  
Cincinnati, Ohio 45229  
Surety. \_\_\_\_\_ Address. \_\_\_\_\_  
Surety. \_\_\_\_\_ Address. \_\_\_\_\_

Signed and acknowledged before me on 3/16/06

\_\_\_\_\_  
s/Jan Lahley Clerk

Approved: \_\_\_\_\_

[Signature]  
Judicial Officer

2006 MAR 16 PM 1:54  
SOUTHERN DISTRICT OF OHIO  
WEST DIV CINCINNATI

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI**

**UNITED STATES OF AMERICA**

**-vs-**

**Case No. CR-1-02-93 (1)**

**DANIEL S. MCKINNEY**

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**ORDER SETTING  
CONDITIONS OF RELEASE**

**IT IS ORDERED** that the release of the defendant is subject to the following conditions and provisions:

- (1) The defendant **shall not commit** any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant **shall immediately advise** the court, Probation Office, defense counsel and the U.S. Attorney in writing of any change in address and telephone number.
- (3) The defendant **shall appear** at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear in the Potter Stewart Courthouse in the Courtroom directed upon notice.

**ADDITIONAL CONDITIONS OF RELEASE**

In order reasonably to assure the appearance of the defendant and the safety of other persons and the community, it is **FURTHER ORDERED** that the release of the defendant is subject to the conditions marked below:

**Unsecured Financial Condition**

- The defendant executes an unsecured bond
- report weekly to the Probation Officer.

**ADVICE OF PENALTIES AND SANCTIONS**

**TO THE DEFENDANT:**

**YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:**

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of a Federal offense while on pretrial release may result in an additional sentence to a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or

both to tamper with a witness, victim or informant; to retaliate or attempt to retaliate against a witness, victim or informant; or to intimidate or attempt to intimidate a witness, victim, juror, informant or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear may result in the forfeiture of any bond posted.

### ACKNOWLEDGMENT OF DEFENDANT

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

[Signature]  
Signature of Defendant

3569 BOGART AVE  
Address

CINTI, OH  
City and State Telephone

### DIRECTIONS TO THE UNITED STATES MARSHAL

- ☒ The defendant is **ORDERED** released after processing.
- ☐ The United States marshal is **ORDERED** to keep the defendant in custody until notified by the Clerk or Judicial Officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: March 16, 2006

[Signature]  
TIMOTHY S. BLACK  
UNITED STATES MAGISTRATE JUDGE